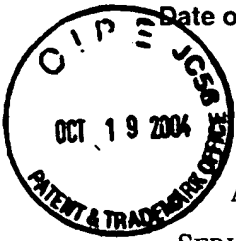


Express Mailing Label No.: EV 392157597 US  
Date of Deposit: October 19, 2004

Attorney Docket No. 18989-028



10, 20, 04 Ifu  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Dzau, et al.  
SERIAL NUMBER : 10/701,789 EXAMINER : Not Yet Assigned  
FILING DATE : November 5, 2003 ART UNIT : 1636  
FOR : MESENCHYMAL STEM CELLS AND METHODS OF USE  
THEREOF

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**


Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages);
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited References: C53-56; and
3. Return Postcard.

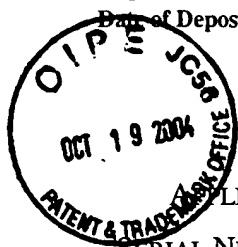
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 18989-028. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

  
Ingrid A. Beattie, Reg. No. 42,306  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
Address all written correspondence to  
**Customer no.: 30623**  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Date: October 19, 2004



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P.O. Box 1450

Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed within three months of the mailing date of the International Search Report for PCT/US03/35111, mailed August 23, 2004 and which corresponds to the above-identified case. Accordingly, no fee or certification is believed due.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Dzau et al.  
U.S.S.N.: 10/701,789

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 18989-028.

Respectfully submitted,



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Ingrid A. Beattie, Reg. No. 42,306  
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Fax: (617) 542-2241

Date: October 19, 2004

TRA 1968517v1

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PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Modified Form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	10/701,789
	<b>Filing Date</b>	November 5, 2003
	<b>First Named Inventor</b>	Dzau
	<b>Group Art Unit</b>	1636
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	18989-028

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS						
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C53	Fukuda et al. <i>Blood</i> , 100(7):2463-2471 (2002).
	C54	Noiseux et al. <i>Circulation</i> , 108(17): Supplement, pg. IV-5, <b>Abstract #24</b> .
	C55	Yamaoka T. <i>Biochem. Biophys. Res. Comm.</i> , 296:1039-1043 (2002).
	C56	International Search Report for PCT/US03/35111, mailed August 23, 2004.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.